

Authorizing The Chairman Of The Ulster County Legislature To Convey A Quitclaim Deed To The Estate Of A Party Who Bought Back Real Property Which Was Formerly County-Owned Real Property – Department Of Finance

Referred to: The Ways and Means Committee (Chairman Gerentine and Legislators Archer, Bartels, Lopez, James Maloney, Joseph Maloney, and Petit)

Chairman of the Ways and Means Committee, Richard A. Gerentine, and Deputy Chair Laura Petit offer the following:

WHEREAS, this Resolution has been submitted by the County Executive on behalf of the Department of Finance; and

WHEREAS, the County of Ulster acquired title to a parcel by Tax Deed filed in the Office of the Ulster County Clerk on March 11, 2016, as Instrument Number 2016-00003330, being further described in Liber 5987 of Deeds at Page 162, said parcel being described as follows:

Parcel #: 141
Town: SAUGERTIES
Formerly Assessed to: MITRANY, LEON
Current Owner: COUNTY OF ULSTER
SBL#: 016.004-0002-021.000-0000
Description: 240
Location: 51 PARNASSUS LANE
Acreage: 50.48
Front Foot: 0
Depth Foot: 0
Oldest Year of Tax: 2013 G; and

WHEREAS, it is the policy of the County of Ulster to allow former owners of parcels taken by County tax foreclosure proceedings to redeem or buy back their parcels until a few days before the parcels are sold at public auction by the County; and

WHEREAS, former owners Leon D. Mitrany and Minnetta Mitrany, his wife, originally took title to said Parcel #141 by Deed dated May 27, 1983 and recorded in the Office of the Ulster County Clerk on May 27, 1983, in Liber 1483 of Deeds at Page 447; and

WHEREAS, the said Minnetta Mitrany died on November 8, 1996, a resident of Nassau County, State of New York; and

WHEREAS, the said Leon D. Mitrany a/k/a Leon Mitrany became the sole owner of Parcel #141 by operation of law upon the death of his wife; and

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WHEREAS, Leon D. Mitrany died testate on February 2, 2010, a resident of Nassau County, New York; and

WHEREAS, Christopher Rosado, Esq., is an attorney duly licensed to practice law in the State of New York, with offices at 320 Old Country Road, Suite 103, Garden City, New York 11530; and

WHEREAS, the said Christopher Rosado is co-trustee of the “Mitrany Asset Management Trust”, set up by Leon D. Mitrany on March 1, 2005 to hold his assets; and

WHEREAS, the said Christopher Rosado is also Executor of the Estate of Leon D. Mitrany, Deceased, as duly appointed on March 22, 2011, by the Nassau County Surrogate’s Court of the State of New York (File No. 2010-360167); and

WHEREAS, on April 28, 2016, the said Christopher Rosado paid the County of Ulster TWENTY-ONE THOUSAND THREE HUNDRED EIGHTY AND 73/100 (\$21,380.73) DOLLARS, from the account of the Mitrany Asset Management Trust to buy back Parcel #141 from the County’s tax foreclosure on behalf of the Estate of Leon D. Mitrany; and

WHEREAS, upon the buy back of said premises, the County of Ulster took steps to return the property to the former owners, to wit: the County Legislature adopted Resolution #316 on June 21, 2016, approving the re-conveyance of the parcel to “Leon Mitrany” and “Minetta Mitrany” (sic), and said Resolution was signed by the County Executive on June 27, 2016; and

WHEREAS, real property cannot be conveyed to a party who is dead and therefore must be conveyed to the deceased person’s heirs, estate or estate representative, or co-owners of the property, depending on the circumstances; and

WHEREAS, due to the deaths of both former owners, it is appropriate to re-convey parcel #141 to the Estate of the last surviving tenant by the entirety, that is, to the Estate of Leon D. Mitrany a/k/a Leon Mitrany; and

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WHEREAS, such Deed shall be made, executed and delivered subject to the condition and covenant that the said County of Ulster shall in no event be or become liable for any defects in the title so conveyed for any cause whatsoever, or that no claim or demand of any nature shall ever be made against the said County of Ulster, arising from such sale or any proceedings leading thereto; and

WHEREAS, this conveyance constitutes a Type II action under section 2.26 of the County of Ulster’s State Environmental Quality Review Act (hereinafter referred to as “SEQRA”) Type II List that was adopted in Resolution No. 118 on April 20, 2010; and

WHEREAS, as per section 1 of the County’s Type II List, this action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA; now therefore, be it

RESOLVED, that the Ulster County Legislature hereby finds and determines that the property described herein and which is intended to be conveyed herein is appropriate for conveyance to the Estate of Leon D. Mitrany a/k/a Leon Mitrany, in the interests of equity, fairness and good faith; and be it further

RESOLVED, that the deed to the property be prepared as follows:

GRANTOR	GRANTEE	RECORD AND RETURN DEED TO
County of Ulster Tax Map Parcel: #016.004-0002-021.000-0000	Estate of Leon D. Mitrany a/k/a Leon Mitrany	Christopher Rosado 320 Old Country Road Suite 103 Garden City, New York 11530

and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized and directed to make, execute and deliver to said party or his/her/their authorized representative, a Deed conveying the interest of the County in said Parcel, which Deed shall contain the covenant that the said County of Ulster shall in no event be or become liable for any defects in title conveyed for any cause whatsoever,

